

Beth E. Terrell, WSBA #26759  
Jennifer R. Murray, WSBA #36983  
Elizabeth A. Adams, WSBA #49175  
Terrell Marshall Law Group PLLC  
936 North 34th Street, Suite 300  
Seattle, Washington 98103  
Telephone: (206) 816-6603  
Facsimile: (206) 319-5450  
Email: bterrell@terrellmarshall.com  
Email: jmurray@terrellmarshall.com  
Email: eadams@terrellmarshall.com

[Additional Counsel Appear On Signature Page]

UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF WASHINGTON

CYNTHIA HARVEY and STEVEN A.  
MILMAN, individually and on behalf of  
all others similarly situated,

Plaintiffs,

v.

CENTENE CORPORATION,  
COORDINATED CARE  
CORPORATION, and SUPERIOR  
HEALTHPLAN, INC.,

Defendants.

NO. 2:18-cv-00012-SMJ

**DECLARATION OF BETH E.  
TERRELL IN SUPPORT OF  
PLAINTIFFS' RESPONSE TO  
DEFENDANTS' MOTIONS TO  
DISMISS**

I, Beth E. Terrell, declare as follows:

1. I am a member of Terrell Marshall Law Group PLLC ("TMLG") and  
one of the attorneys representing Plaintiffs in this action. I am admitted to practice  
**DECLARATION OF BETH E. TERRELL IN SUPPORT OF  
PLAINTIFFS' RESPONSE TO DEFENDANTS' MOTIONS TO  
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1 before this Court and am a member in good standing of the bars of the states of  
2 Washington and California. I respectfully submit this declaration in support of  
3 Plaintiffs' Response to Defendants' Motions to Dismiss. I make this declaration  
4 based upon personal knowledge, and am competent to testify regarding the  
5 following facts.

6       2. Attached hereto as Exhibit 1 is a true and correct copy of a Case  
7 Detail report for case number 1545093, obtained from the Washington State Office  
8 of the Insurance Commissioner via public records request. Plaintiffs labeled this  
9 document PRR-OIC\_000041-000041.15.

10       3. Attached hereto as Exhibit 2 is a true and correct copy of  
11 correspondence regarding a consumer complaint against Ambetter, obtained from  
12 the Washington State Office of the Insurance Commissioner via public records  
13 request. Plaintiffs labeled this document PRR-OIC\_000001.33-000001.35.

14       4. Attached hereto as Exhibit 3 is a true and correct copy of a letter from  
15 Ambetter approving a medical procedure, obtained from the Washington State  
16 Office of the Insurance Commissioner via public records request. Plaintiffs labeled  
17 this document PRR-OIC\_000199.14.

18       5. Attached hereto as Exhibit 4 is a true and correct copy of an  
19 Outpatient Prior Authorization Fax Form from Ambetter, received by Centene on  
20 September 8, 2017. Plaintiffs obtained this document from the Washington State

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1 Office of the Insurance Commissioner via public records request. Plaintiffs labeled  
2 this document PRR-OIC\_000123.18-000123.19.

3 6. Attached hereto as Exhibit 5 is a true and correct copy of email  
4 correspondence sent to Centene by a Coordinated employee to find out why a  
5 provider had not been approved as an in-network Ambetter provider. Plaintiffs  
6 obtained this document from the Washington State Office of the Insurance  
7 Commissioner via public records request. Plaintiffs labeled this document PRR-  
8 OIC\_000322.08-000322.10.

9 7. Attached hereto as Exhibit 6 is a true and correct copy of excerpts  
10 from Centene's Form 10-K report to the Securities and Exchange Commission, for  
11 the fiscal year ending December 31, 2017.

12 8. Attached hereto as Exhibit 7 is a true and correct copy of Coordinated  
13 Care Corporation's Company Profile available on the Washington State Office of  
14 the Insurance Commissioner's website, located at [https://fortress.wa.gov/oic/](https://fortress.wa.gov/oic/consumertoolkit/Company/CompanyProfile.aspx?WAOIC=500635)  
15 [consumertoolkit/Company/CompanyProfile.aspx?WAOIC=500635](https://fortress.wa.gov/oic/consumertoolkit/Company/CompanyProfile.aspx?WAOIC=500635).

16 9. Attached hereto as Exhibit 8 is a true and correct copy of the Glossary  
17 of Terms from the Washington State Office of the Insurance Commissioner's  
18 website, located at <https://www.insurance.wa.gov/glossary-terms>.

19 10. Attached hereto as Exhibit 9 is a true and correct copy of excerpts  
20 from Coordinated Care Corporation's Segregated Accounts Annual Report dated  
DECLARATION OF BETH E. TERRELL IN SUPPORT OF  
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1 December 31, 2016 and 2015, obtained from the Washington State Office of the  
2 Insurance Commissioner.

3 11. Attached hereto as Exhibit 10 is a true and correct copy of the  
4 Supplemental Compensation Exhibit for the Year 2016 of the Coordinated Care  
5 Corporation.

6 12. Attached hereto as Exhibit 11 is a true and correct copy of an article  
7 entitled “Fathi removed as president of Coordinated Care” that can be found on the  
8 webpage [https://stateofreform.com/featured/2017/12/fathi-removed-president-](https://stateofreform.com/featured/2017/12/fathi-removed-president-coordinated-care/)  
9 [coordinated-care/](https://stateofreform.com/featured/2017/12/fathi-removed-president-coordinated-care/), last downloaded on April 30, 2018.

10 13. Attached hereto as Exhibit 12 is a true and correct copy of a Centene  
11 NovaSys Payment Receipt showing the address for Ambetter Coordinated Care  
12 Health in St. Louis, Missouri. Plaintiffs obtained this document from the  
13 Washington State Office of the Insurance Commissioner via public records  
14 request. Plaintiffs labeled this document PRR-OIC\_000325.12.

15 14. Attached hereto as Exhibit 13 is a true and correct copy of Centene’s  
16 Clinical Policy: Gender Reassignment Surgery, obtained from the Washington  
17 State Office of the Insurance Commissioner via public records request. Plaintiffs  
18 labeled this document PRR-OIC\_000454.13-000454.22.

19 15. Attached hereto as Exhibit 14 is a true and correct copy of a report  
20 from the House of Representatives Committee on Education and Labor titled  
DECLARATION OF BETH E. TERRELL IN SUPPORT OF  
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1 “America’s Affordable Health Choices Act of 2009, 111 H. Rpt. 299, dated  
2 October 14, 2009.

3 16. Attached hereto as Exhibit 15 is a true and correct copy of 29 U.S.C.  
4 § 1185d.

5 17. Attached hereto as Exhibit 16 is a true and correct copy of excerpts  
6 from Plaintiff Milman’s Celtic Insurance Company for Ambetter from Superior  
7 Healthplan Major Medical Expense Policy.

8 I declare under penalty of perjury under the laws of the United States that  
9 the foregoing is true and correct.

10 EXECUTED at Seattle, Washington this 30th day of April, 2018.

11  
12 /s/ Beth E. Terrell, WSBA #26759  
13 Beth E. Terrell, WSBA #26759  
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DECLARATION OF BETH E. TERRELL IN SUPPORT OF  
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CERTIFICATE OF SERVICE

I, Beth E. Terrell, hereby certify that on April 30, 2018, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Maren Roxanne Norton, WSBA #35435  
Attorneys for Defendants  
STOEL RIVES LLP  
600 University Street, Suite 600  
Seattle, Washington 98101  
Telephone: (206) 386-7598  
Facsimile: (206) 386-7500  
Email: mnrnorton@stoel.com

Steven M. Cady, *Admitted Pro Hac Vice*  
Brendan V. Sullivan, Jr., *Admitted Pro Hac Vice*  
Andrew McBride  
William Murray  
Attorneys for Defendants  
WILLIAMS & CONNOLLY, PLLC  
725 Twelfth Street, N.W.  
Washington, D.C. 20005  
Telephone: (202) 434-5321  
Facsimile: (202) 434-5029  
Email: scady@wc.com  
Email: bsullivan@wc.com  
Email: amcbride@wc.com  
Email: bmurray@wc.com

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1 DATED this 30th day of April, 2018.

2 TERRELL MARSHALL LAW GROUP PLLC

3 By: /s/ Beth E. Terrell, WSBA #26759

4 Beth E. Terrell, WSBA #26759

5 Attorneys for Plaintiffs

6 936 North 34th Street, Suite 300

7 Seattle, Washington 98103

8 Telephone: (206) 816-6603

9 Facsimile: (206) 319-5450

10 Email: bterrell@terrellmarshall.com

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DECLARATION OF BETH E. TERRELL IN SUPPORT OF  
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